

SECTION 2

Medicaid Waiver Services

Purpose

You will become more familiar with the Division of Services for People with Disabilities, Medicaid rules and regulations and service options available through either self-administering or using agency-based providers. This section begins with a list of commonly used terms and definitions.

This Section Includes:

- Definition of Terms
- Medicaid Waiver Information
- Service Options Specific to Using Self-Administered Services
- Choosing Appropriate Services
- Home and Community-Based Waiver Service Options



DSPD website: www.dspd.utah.gov. Select Educational Publications/Service Guides for a full overview of DSPD including a list of provider agencies, fiscal agent information for Self-Administered Services and updates.

DEFINITION OF TERMS

Action Plan: A part of the Individual Service Plan (ISP) that identifies personal goals decided upon by a person with a disability and others that support them.

Agency-Based Provider: Companies that contract with **DSPD** to deliver supports to people with disabilities.

Division of Services for People with Disabilities (DSPD): State agency within the **Department of Human Services**, responsible for administration of State and Federal funding for people with disabilities.

Eligibility: Determination of whether or not a person qualifies for services.

External Support Coordination: A Support Coordinator outside (not an employee of) DSPD who provides professional support to a person receiving DSPD funding to assist in developing needed services and supports.

Family to Family Network: Is a grassroots volunteer group composed of family members across Utah who have a relative with a disability. Their mission is to educate, strengthen, and support families of persons with disabilities.

Fiscal Agent: A company that is hired to handle payroll duties for Self-Administered Services, required under Federal Law.

Guardian: The person who is legally responsible to/or for the care of another person (and or his or her property).

Guardianship: The legal process a parent, family member or other goes through to become legally responsible for a person with disabilities when they are 18 years of age or older.

Home and Community-Based Waiver: An approval to "waive" certain requirements in order to use Medicaid funds for an array of home and community-based services as an alternative to institutional care.

IEP (Individual Education Plan): Directs the services within a school for a child with a disability.

Inclusion: The process of enabling persons with disabilities to be educated, live, work and participate socially in the same environment as others who are not labeled "disabled". Inclusion is also used by educators to refer to the integration of children with disabilities into regular classes for part or all of the school day.

Informed Consent: A decision based on knowledge of advantages and disadvantages and implications of choosing a particular course of action.

Medicaid: A program that pays health care bills for people who are found eligible for the program. Benefits are paid with Federal and State dollars.

Medicaid Waiver: A program used to support people with specific needs to live at home and participate in their communities.

Monthly Summaries: A report required at the end of each month given to the Support Coordinator reflecting the use of purchased services.

Person-Centered Planning Process: This is an assessment and a process to focus on what a person wants to happen in their life. It identifies interests, goals, relationships, health and safety issues in order to determine appropriate supports.

Person-Centered Budget: State and Federal Medicaid funds that are identified to purchase assessed needs of a person being served through the Division of Services for People with Disabilities.

People First Organizations: A national organization of people with various disabilities who advocate for the needs of all people with disabilities to be fully included in life experiences.

People First Language: Language used that addresses the person first; not the disability.

Rates: The amount that DSPD pays to a provider or company for services/supports for a person.

Self-Administered Services: A service option for people receiving DSPD funding to manage a variety of identified needed services. This allows a person's supports to be administered by the person/person's representative. It allows the person/person's representative to hire, train, and supervise employees to provide direct supports.

Self-Determination: Exercise and development of a person's ability to make their own choices including: freedom to choose their own services and supports, authority to control their own money, ability to nurture natural supports, responsibility to contribute to the community.

Sib Shop: Workshops for brothers and sisters of a person who has a disability.

Support Coordinator: The professional employee of DSPD who provides support to a person receiving DSPD funding to assist in developing needed services and supports.

Support Strategies: The steps used by the employee to support the person to achieve the goals identified in the Action Plan.

Transition: Movement from early intervention, to preschool, to elementary school, to middle school, to high school, and to post-school.

Vocational Rehabilitation: Preparing a person with a disability for useful and purposeful employment through on-the-job training and use of rehabilitative or adaptive equipment.

MEDICAID WAIVER INFORMATION

Medicaid Waivers are Designed to:

- Promote access, inclusion and development of valued social roles in local communities for people with disabilities.
- Foster mutually beneficial relationships among people with disabilities and members of their local community.
- Provide support so that people with disabilities can live safely in neighborhoods they choose.
- Provide support so that children with disabilities can live with their families.
- Improve the independence that people with disabilities have from their caregivers.

Rules And Regulations

Avoid Fraud and Misuse of Funds by following Medicaid Rules and Regulations listed. Individuals who misrepresent the use of Medicaid funds may put self-administering at risk of being lost and face criminal action. Be a responsible employer by working closely with your Support Coordinator and following the DSPD and Medicaid requirements.

- Most Self-Administered Services are to be provided and billed as a one-on-one service. One person to one staff. The **only exception** is Group Respite, services (RP7-RP8), where up to three people may be served.
- Supported Living service includes more than one type of support. For example, if you are using supported living, do not bill again for transportation, since it is already included in the Supported Living service description and rate.

Supported Living (SL1) includes: personal assistance, chore and homemaker services, routine transportation

- Stay within the designated pay rates for services, included in the Fiscal Agent Packet.
- **Do Not** bill for more than one person at a time using the same employee, **except** for Group Respite, (RP7-RP8), when up to 3 people may be served.
- Do not receive payment from the employee or take a portion of the employee's pay.
- Employees providing overnight services, during typical hours of sleep, or transportation must be 18 years of age or older.
- Each month the Fiscal Agent (your payroll agency) and your Support Coordinator will review timesheets for accuracy and appropriate usage of services. You may be asked to clarify if the following situations are found:
 - High usage in one month. If a person's situation changes, contact your Support Coordinator and inform him/her of your needs and possible changes in your use of service.
 - High usage of your budget at the end of the fiscal year, (Fiscal Year: July 1 – June 30.) unless approved by your Support Coordinator.
 - Billing for employees before notifying your Support Coordinator. Each Support Coordinator must have a copy in their file of the Form 2-9C, the employee's completed certification. **You must inform your Support Coordinator when adding new employees.**

DSPD is required to account for funds you receive. Examples of misuse of funds have included:

1. Submitting timesheets for an employee who is out of state.
2. Submitting timesheets for an employee who is in prison.
3. Submitting timesheets reflecting more hours than were provided in order to pay an employee at a higher rate.
4. Using service codes that are not in the person's budget. If you need to change services, contact your Support Coordinator to do so. Do not submit timesheets with a code that is not on the Service Plan.
5. Employers receiving a portion of the employee's paycheck.

NOTE: If you move from one area of the state of Utah to another, your current budget will move with you. If you move out of state, your services will be closed.

SERVICE OPTIONS SPECIFIC TO USING SELF-ADMINISTERED SERVICES

The following information provides you with a definition of the Medicaid waivers offered through DSPD. Under each definition you will see a list of services specific to the waiver in which you are enrolled. Agency-based services may be used in combination with Self-Administered Services if needed. All services are based on assessed needs of the person.

Community Supports Waiver (CSW), serves people with a diagnosis of mental retardation or related conditions.

| <u>Services</u> | <u>Code</u> |
|---------------------------------|-------------|
| Financial Management Services | FMS |
| Chore Services | CH1 |
| Homemaker Service | HS1 |
| Companion Services | CO1 |
| Personal Assistance Service | PA1 |
| Family Training and Preparation | TF1 |
| Supported Living | SL1 |
| Respite | RP1, RP6 |
| Respite-Group | RP7, RP8 |
| Transportation Services | DTP |

Acquired Brain Injury Waiver (ABI), serves people with an injury that occurs to the brain after birth.

| <u>Services</u> | <u>Code</u> |
|---------------------------|-------------|
| Chore Services | CH1 |
| Homemaker Services | HS1 |
| Respite | RP1 |
| Supported Living Services | SL1 |
| Transportation Services | DTP |

CHOOSING APPROPRIATE SERVICES

Your Support Coordinator will provide ongoing supervision to ensure that the needs of your family member being served are identified and met with services selected from an Agency-Based Provider and/or Self-Administered Services.

Agency-Based Provider Services are offered through private companies that contract with the Division of Services for People with Disabilities. When using these services, people are able to choose an agency that will meet the specific needs of the person. It is the responsibility of the provider agency to supervise, hire, and assure that employee qualifications are met, including; scheduling, paying wages, etc. of the agency's employees and or supplying other purchased products.

Self-Administered Services provide an alternative to traditional agency-based services by allowing you and your family member to directly hire employees to meet specific identified service needs. Most of the time these supports are provided in your home. Self-Administered Services are available to all who are capable and wish to hire and train employees to meet specific assessed needs. You are responsible to supervise, hire, train, schedule, and approve employee timesheets. You must also work with your Fiscal Agent and Support Coordinator to meet DSPD and Medicaid requirements.

Services Used in Combination. Your family member may, for example, need respite, personal assistance and to have a ramp built. You can purchase respite and personal assistance through Self-Administered Services or an Agency-Based provider, or respite through Self-Administering and personal assistance through an Agency. Your Support Coordinator can help you to purchase the ramp through available resources. Your budget will reflect how the services are purchased separately.

Regular communication with your Support Coordinator will help to identify service needs for your family member.

